

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STUDENTS FOR FAIR ADMISSIONS,  
INC.,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF  
HARVARD COLLEGE (HARVARD  
CORPORATION),

Defendant.

Civil Action No. 1:14-cv-14176-ADB

\*\*\*Exhibit A to this Motion is an unredacted  
letter subject to a Protective Order of this  
Court and cannot be made available to anyone  
other than counsel of record for the parties or  
Court personnel.\*\*\*

**PLAINTIFF'S MOTION TO IMPOUND**

Pursuant to Local Rule 7.2 and this matter's Stipulated Protective Order (Dkt. No. 55), Plaintiff, Students for Fair Admissions, Inc. ("SFFA"), hereby brings this motion to give this Honorable Court the option to impound the attached unredacted letter from Plaintiff's counsel to Judge Burroughs dated February 1, 2016 (*Exhibit A* - the "Letter"). The Letter contains information which has been designated by Defendant, the President and Fellows of Harvard College ("Harvard") as "protected material" under the Stipulated Protective Order. This motion is brought in reaction to Harvard's designations. A redacted version of the Letter has been publicly filed in which discussion and references to the designated "protected material" were redacted.

WHEREFORE, SFFA respectfully submits this motion which gives the Court the option to allow the unredacted version of the Letter to be impounded and to be viewed only by the Judge, her clerk(s) and Court personnel.

Respectfully submitted,

By: /s/ Patrick Strawbridge  
Patrick Strawbridge

Paul M. Sanford BBO #566318  
Benjamin C. Caldwell BBO #675061  
BURNS & LEVINSON LLP  
One Citizens Plaza, Suite 1100  
Providence, RI 02903  
Tel: 617-345-3000  
Fax: 617-345-3299  
psanford@burnslev.com  
bcaldwell@burnslev.com

William S. Consovoy  
Thomas R. McCarthy  
Michael H. Park  
J. Michael Connolly  
CONSOVOY MCCARTHY PARK PLLC  
3033 Wilson Boulevard, Suite 700  
Arlington, Virginia 22201  
Tel: 703-243-4923  
Fax: 703.243.4923  
will@consovoymccarthy.com  
tom@consovoymccarthy.com  
park@consovoymccarthy.com  
mike@consovoymccarthy.com

Dated: February 1, 2016

Patrick Strawbridge BBO #678274  
CONSOVOY MCCARTHY PARK PLLC  
Ten Post Office Square  
8th Floor South PMB #706  
Boston, MA 02109  
Tel: 617-227-0548  
patrick@consovoymccarthy.com

*Counsel for Plaintiff Students for Fair Admissions, Inc.*

**CERTIFICATE OF CONFERENCE**

In accordance with Local Rules 7.1(a), I hereby certify that this motion is brought in reaction to Harvard's designation of certain database fields and other information as "protected material" under the Stipulated Protected Order.

/s/ Patrick Strawbridge  
Patrick Strawbridge

**CERTIFICATE OF SERVICE**

In accordance with Local Rule 5.2(b), I hereby certify that this document was filed through the Court's ECF system on February 1, 2016 and will be sent electronically to the registered participants identified on the Notice of Electronic Filing. The attachment to this motion was hand-delivered to the Court (and not publicly filed).

/s/ Benjamin C. Caldwell  
Benjamin C. Caldwell

4816-3931-1405.1